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MAXLINEAR, INC. AND MAXLINEAR  
COMMUNICATIONS LLC

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

ENTROPIC COMMUNICATIONS,  
LLC,

Plaintiff,

v.

COX COMMUNICATIONS, INC.;  
COXCOM, LLC; AND COX  
COMMUNICATIONS  
CALIFORNIA, LLC,

Defendants,

COX COMMUNICATIONS, INC.;  
COXCOM, LLC; AND COX  
COMMUNICATIONS  
CALIFORNIA, LLC,

Counter-Claimants,

v.

ENTROPIC COMMUNICATIONS,  
LLC; MAXLINEAR, INC.; AND  
MAXLINEAR  
COMMUNICATIONS LLC,

Counter-Defendants.

Case No. 2:23-cv-01043-JWH-KES  
(Lead Case)

Case No. 2:23-cv-01047-JWH-KES  
(Related Case)

**COUNTER-DEFENDANTS  
MAXLINEAR, INC. AND  
MAXLINEAR COMMUNICATIONS  
LLC'S APPLICATION FOR LEAVE  
TO FILE UNDER SEAL REPLY IN  
SUPPORT OF MOTION TO  
DISMISS AMENDED  
COUNTERCLAIMS BY COX  
COMMUNICATIONS, INC.,  
COXCOM, LLC, AND COX  
COMMUNICATIONS  
CALIFORNIA, LLC**

Judge: Hon. John W. Holcomb

**Hearing:**

Date: March 29, 2024

Time: 9:00 a.m.

Place: Courtroom 9D, Santa Ana

Pursuant to Local Rule 79-5.2.2(a) and (b) governing documents to be filed under seal, Counter-Defendants MaxLinear, Inc. and MaxLinear Communications LLC (collectively, “MaxLinear”) hereby submit their Application for Leave to File Under Seal a Reply in Support of MaxLinear’s Motion to Dismiss Amended Counterclaims by Cox Communications, Inc., CoxCom, LLC, and Cox Communications California, LLC (collectively, “Cox”).

MaxLinear seeks leave to file under seal highlighted portions of MaxLinear’s Reply that quote from or reference (1) the membership agreement between Cox Communications, Inc. and the Multimedia over Coax Alliance, which Cox designated “Confidential,” attached as Exhibit A (ECF No. 337) to MaxLinear’s Request for Judicial Notice (ECF No. 323), and (2) a Patent Purchase Agreement executed by MaxLinear and Plaintiff Entropic Communications, LLC that has been designated “Highly Confidential – Attorneys’ Eyes Only,” attached as Exhibit B (ECF No. 338) to MaxLinear’s Request for Judicial Notice (ECF No. 323). The Court granted MaxLinear’s motion to file Exhibits A and B under seal (ECF No. 333).

Document to be sealed	Portions to be sealed (page:line(s))
Portions of MaxLinear’s Reply in Support of Motion to Dismiss that quote from or reference Exhibit A (ECF No. 337) or Exhibit B (ECF No. 338) to MaxLinear’s previously filed Request for Judicial Notice (ECF No. 323)	6:13-15; 9:13-14; 9:16-18; 12:14-15

Pursuant to Local Rule 79-5.2.2(a) and (b), MaxLinear applies to file under seal the document listed above. Under Rule 79-5.2.2(a), a party may seek leave to file a document under seal so long as the Application describes the nature of the information that should be closed to public inspection and is accompanied by: (1) a declaration establishing good cause why the strong presumption of public access in

1 civil cases should be overcome and informing the Court whether anyone opposes  
2 the Application; (2) a proposed order; (3) a redacted version of the relevant  
3 documents; and (4) an unredacted version of the relevant documents. MaxLinear  
4 has complied with these requirements. The information that MaxLinear seeks to  
5 seal under Rule 79-5.2.2(a) is contained within (1) a confidential agreement  
6 between Cox Communications, Inc. and a third-party entity; and (2) a confidential  
7 agreement between MaxLinear, Inc. and Entropic Communications, LLC. The  
8 public does not have an interest in accessing this confidential information.  
9 Additionally, MaxLinear's request is narrowly tailored to only prevent the public  
10 from viewing confidential information. Finally, Entropic and Cox do not oppose  
11 MaxLinear's under seal filing.

12 Therefore, compelling reasons exist to seal the highlighted portions of the  
13 above documents. *See Aya Healthcare Servs., Inc. v. AMN Healthcare, Inc.*, 2020  
14 WL 1911502, at \*5 (S.D. Cal. Apr. 20, 2020) ("The Court agrees that compelling  
15 reasons exist to seal references . . . to Defendants' proprietary business records that  
16 detail sensitive financial terms, proprietary business strategies, and confidential  
17 negotiations and agreements with third parties."); *In re Qualcomm Litig.*, 2019 WL  
18 1557656, at \*3 (S.D. Cal. Apr. 10, 2019) (granting motions to seal "confidential  
19 business information of the parties, including trade secrets, proprietary business  
20 records, discussions of internal strategy, company dealings, and materials  
21 designated as 'Highly Confidential'").

22 MaxLinear respectfully requests that this Court order the unredacted  
23 document to be filed under seal. Redacted and unredacted versions of the Reply in  
24 Support of MaxLinear's Motion to Dismiss Cox's Amended Counterclaims are  
25 filed herewith.

26 This Application is accompanied by a Declaration of Rose S. Lee and a  
27 Proposed Order.

1 Dated: March 15, 2024

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